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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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AARON GIBBS, et al.,  
Plaintiffs,

v.

SIM GILL, et al.,  
Defendants.

ORDER ADOPTING IN PART REPORT  
AND RECOMMENDATION

Case No. 2:18-CV-905 TS-CMR

District Judge Ted Stewart

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On November 29, 2018, the Court granted Plaintiffs Aaron Gibbs and Loran Dax Sant (collectively, “Plaintiffs”) leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. On July 10, 2019, the Court granted Plaintiffs leave to amend their complaint to cure pleading deficiencies. Plaintiffs filed their Amended Complaint in this action on July 26, 2019. Mr. Gibbs then filed a complaint in a second action on June 4, 2020 with similar allegations, and another complaint in a third action on July 7, 2020 again with similar allegations. The Court consolidated these actions and this case was referred to the Magistrate Judge under 28 U.S.C. § 636(b)(1)(B).

The Magistrate Judge issued a Report and Recommendation on August 10, 2020. This matter is before the Court for consideration of that Report and Recommendation. Plaintiff Aaron Gibbs requested an extension of time to respond to the Report and Recommendation. Plaintiff

was ordered to respond by September 9, 2020. As of the date of this Order, no response has been received by the Court.<sup>1</sup>

The Magistrate Judge recommends dismissal of Plaintiffs' claims and denial of their motions as moot. The Magistrate Judge also recommends the imposition of filing restriction on Mr. Gibbs. The Court has considered the pleadings in the file and the Report and Recommendation. The Court will adopt the Report and Recommendation but will not impose filing restrictions at this time. It is therefore

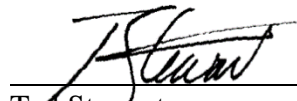
ORDERED that the Magistrate Judge's August 10, 2020 Report and Recommendation (Docket No. 24) is ADOPTED IN PART. It is further

ORDERED that Plaintiffs' claims will be dismissed as set forth in the Report and Recommendation. It is further

ORDERED that Plaintiffs' Motions (Docket Nos. 16, 17, and 23) are DENIED AS MOOT.

DATED this 14th day of September, 2020.

BY THE COURT:

  
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Ted Stewart  
United States District Judge

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<sup>1</sup> Because the Court ordered Plaintiffs to respond by a specific date, the extra three-day mailing period set out in Fed. R. Civ. P. 6(d) is inapplicable. *See Curran v. AMI Fireplace Co., Inc.*, 163 F. App'x 714, 718 (10th Cir. 2006).